

Response
Serial No. 10/828,321
Attorney Docket No. 042343

REMARKS

Claims 1-20 are pending. Claims 1, 3, 5 and 11 are amended.

Claim Objections:

Claims 1, 3, 5 and 11 were objected to due to informalities. The claims have been amended to correct the informalities noted by the Office Action.

Claim Rejections – 35 USC § 102:

Claims 1, 2, 4-9, 11-17 and 19 were rejected under 35 USC § 102(b) as being anticipated by Motomu. Favorable reconsideration of this rejection is respectfully requested.

The Office Action relies on the abstract and figure 1(a) of Motomu. The Office Action contends that the “first and second electrodes (1 and 3) being formed of a light transmitting electrically conductive material,” (last sentence of paragraph 2, section 3 of the office action). However it is respectfully submitted that Motomu’s abstract does not disclose whether or not electrode (3) is formed of light transmitting material. It is believed that each of the outer electrodes (1) are transparent, as stated in the abstract, but electrode (3), the middle electrode, is only described as a “metal cathode electrode” (line 1 of SOLUTION). Based on the abstract and figure 1(a), electrode (3) is not “constructed so as to allow light from the light emitting pixels to pass through the sealing member” as required by claim 1.

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Furthermore, there would be no apparent reason for the middle electrode (3) to be transparent based on the design. In Motomu, the light generated from the electroluminescent material is not intended to pass through the middle electrode (3), but only to pass through electrodes (1), located on each side of the device.

Therefore, Motomu does not teach, a first and second electrode, where “the first electrode is constructed so as to allow light from the light emitting pixels to pass through the transparent substrate side; that the second electrode is constructed so as to allow light from the light emitting pixels to pass through the sealing member side.”

Claim Rejections – 35 USC § 103:

Claim 3 was rejected under 35 USC §103(a) as being unpatentable over Motomu in view of Okada et al; claim 10 was rejected under 35 USC § 103(a) as being unpatentable over Motomu in view of Kato; and claims 18 and 20 were rejected under 35 USC § 103(a) as being unpatentable over Motomu in view of Toda. Favorable reconsideration of these rejections is earnestly solicited.

The secondary references cited in each of the rejections fail to provide the teachings which Motomu lacks. Accordingly, the obviousness rejections should be withdrawn for the reasons discussed above.

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Conclusion:

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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